

REQUEST FOR APPROVAL

To: Howard Levenson
Materials Management and Local Assistance Assistant Director

From: Jennifer Caldwell
Senior Integrated Waste Management Specialist

Request Date: June 25, 2010

Decision Subject: Revision of CalRecycle's Policy Document "Countywide Integrated Waste Management Plan (CIWMP) Enforcement Policy Part II"

Action By: June 29, 2010

Summary of Request:

In August 2001, the California Integrated Waste Management Board adopted a revised "Countywide Integrated Waste Management Plan Enforcement Policy Part II" (CIWMP) as the basis for determining whether or not a jurisdiction has adequately implemented its Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE), including the diversion programs described therein. This is the core guidance document that staff uses in the biennial and quadrennial jurisdiction review cycles to prepare recommendations regarding a jurisdiction's performance in implementing programs described in these elements.

The CIWMP needs to be updated to reflect the passage and implementation of Senate Bill 1016 (Chapter 343, Statutes of 2008), which changed the measurement system from one based on estimated generation and diversion to one based on actual per-capita disposal. Based on the statute and stakeholder feedback, pertinent updates have now been made, including adding the new disposal measurement system, removing references to the biomass diversion credit, and removing references to SB 1066, which has expired. Additionally, references to the Board have been changed to CalRecycle as appropriate. All public comments and CalRecycle's responses have been recorded in the 2010 CIWMP Update Comments Summary (Attachment 1).

Recommendation:

Staff recommends that the changes be approved for finalization of the policy document. Upon approval, the final document is scheduled to be posted to CalRecycle's web site in July, 2010.

Assistant Director Action:

On the basis of the information and analysis in this Request for Approval and the findings set out above, I hereby approve the revisions to the Countywide Integrated Waste Management Planning (CIWMP) Enforcement Policy Part II.

Dated: 6/30/10
Howard Levenson

Howard Levenson
Assistant Director, Materials Management and Local Assistance Program

Attachments:

1. Countywide Integrated Waste Management Planning (CIWMP) Enforcement Policy Part II: 2010 CIWMP Stakeholder Comments Summary
 2. Revised "Countywide Integrated Waste Management Plan Enforcement Policy Part II" (CIWMP)
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Background Information, Analysis, and Findings:

First adopted in August 2001, the "Countywide Integrated Waste Management Plan Enforcement Policy Part II" (CIWMP) is the basis for determining whether or not a jurisdiction has adequately implemented its Source Reduction and Recycling Element (SRRE) and Household Hazardous Waste Element (HHWE), including the diversion programs described therein. This is the core guidance document that staff uses in the biennial and quadrennial jurisdiction review cycles to prepare recommendations regarding a jurisdiction's performance in implementing programs described in these elements.

The CIWMP needs to be updated to reflect the passage and implementation of Senate Bill 1016 (Chapter 343, Statutes of 2008), which changed the measurement system from one based on estimated generation and diversion to one based on actual per-capita disposal. Draft changes to the CIWMP were posted on the CalRecycle website and discussed with stakeholders at the April 14, 2010, Materials Management and Local Assistance monthly public meeting. The 2010 CIWMP Update Comments Summary (Attachment 1) contains CalRecycle's responses to stakeholder comments.

The major stakeholder request was to clarify that in most cases jurisdictions may update their SRREs, HHWEs and Non Disposal Facility Elements (NDFEs) via the annual report process. This was agreed upon by CalRecycle staff and updated accordingly. A number of stakeholder requests pertained to AB32 requirements such as mandatory commercial recycling, definitions, and reporting requirements which were not part of this CIWMP update. This was explained during the workshop and is further responded to within Attachment 1.

The following is a summary of the changes that have been made to the Policy so to conform with the provisions of SB 1016:

- Replaces references to diversion measurement with the 50% equivalent per capita disposal target;
- Deletes references to biomass credit, generation and adjustment method, and SB1066 Time Extension and Alternative Diversion Rates;
- Clarifies the change to a 2 and 4-year jurisdiction review cycle depending on if a jurisdiction is determined to have met its 50% equivalent per capita disposal target or have been determined to have made a Good Faith Effort;
- Adds the following definitions: Diversion program (PRC 40127), Jurisdiction (PRC 40145), and Multicounty regional agency (PRC 40150.1).
- Revises the following definitions: Rural City or Rural Regional Agency (PRC 40183(a)) and Rural County (PRC 40184(a)).
- Clarifies that updates to the SRRE, HHWE, and NDFE can be made in the Electronic Annual Report (EAR);
- Clarifies that information regarding C&D diversion programs may be included in the EAR.

After the July 14, 2010, Materials Management and Local Assistance (MMLA) Monthly Public Meeting, staff will post the updated policy on CalRecycle's Local Government Central website at:

www.calrecycle.ca.gov/LGCentral.